

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

<b>ABRAHAM LINDER,</b>	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>No. 18-cv-4844</b>
	:	
<b>FOLCROFT POLICE DEPT, <i>et al.</i>,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

AND NOW, this 25<sup>th</sup> day of February, 2019, upon consideration of *pro se* Plaintiff Abraham Linder's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement (ECF No. 6), Complaint (ECF No. 2), and the Court's January 24, 2019 Order dismissing this case for failure to prosecute (ECF No. 5), it is **ORDERED** that:

1. The Clerk of Court is **DIRECTED** to reopen this case.
2. The Court's January 24, 2019 Order is **VACATED**.
3. Leave to proceed *in forma pauperis* is **GRANTED**.
4. Linder, #18006337, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Linder, an initial partial filing fee of \$34.64 is assessed. The appropriate official at the George W. Hill Correctional Facility or at any other prison at which Linder may be incarcerated is directed to deduct \$34.64 from Linder's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 18-4844. After the initial partial filing fee is collected and until the full filing fee is

paid, the appropriate official at the George W. Hill Correctional Facility or at any other prison at which Linder may be incarcerated, shall deduct from Linder's account, each time that Linder's inmate trust fund account exceeds \$10.00, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 18-4844.

5. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden of the George W. Hill Correctional Facility.

6. The Complaint is **DEEMED** filed.

7. The Complaint is **DISMISSED without prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons set forth in the Court's Memorandum.

8. Linder is given leave to file an amended complaint within thirty (30) days of the date of this Order if he can state a plausible claim for relief against a proper defendant. Any individual or entity that is not listed in the caption of the amended complaint will not be treated as a defendant. Any amended complaint must be a complete document that describes in detail the basis for Linder's claims against each defendant. If Linder files an amended complaint, the Clerk shall not make service until so **ORDERED**.

9. The Clerk of Court is **DIRECTED** to send Linder a copy of this Court's form complaint to be used by a prisoner filing a civil rights action pursuant to 42 U.S.C. § 1983. The Clerk of Court shall write the civil action number of this case on the form. Linder may use this form to prepare his amended complaint.

10. If Linder fails to file an amended complaint, his case may be dismissed without prejudice for failure to prosecute without further notice.

**BY THE COURT:**

*/s/ Joseph F. Leeson, Jr.*

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**JOSEPH F. LEESON, JR.**  
**United States District Judge**